



U.S. Department of Justice

Federal Bureau of Prisons

Legal Department

Metropolitan Correctional Center
 150 Park Row
 New York, New York 10007
 (646) 836-6300, (646) 836-7751 (Fax)

June 3, 2008

SENT BY FACSIMILE TO (212) 805-7917

The Honorable Robert P. Patterson
 Daniel Patrick Moynihan United States Courthouse
 500 Pearl Street
 New York, NY 10007-1312

Re: United States v. Maurice McDowell
 Register Number: 31684-069

Dear Judge Patterson: 07G.1054 (RPP)

USDC SDNY
 DOCUMENT
 ELECTRONICALLY FILED
 DOC #: _____
 DATE FILED: 6/5/08

I write in response to your May 30, 2008 Order that MCC New York provide Maurice McDowell with necessary prostate medication. The Bureau of Prisons respectfully requests that the Order be vacated, as Mr. McDowell has the medication in his possession, and there are internal procedures for prescribing medication.

Mr. McDowell was first prescribed Cardura, 4 mg, for his prostate condition on February 27, 2008. It is a 180 day "self carry" prescription, however, Mr. McDowell is responsible for obtaining a refill every thirty days. Health Services staff make "pill line" rounds each evening, and when an inmate's medication runs out, he simply turns in the bottle at pill line, and the prescription is refilled that evening. Mr. McDowell turned in his bottle on March 26, 2008, and receive his next thirty day supply of medication. He did not turn that bottle in to the pharmacist until May 29, 2008. On May 29, when he did turn in his bottle, he was given his next 30 day supply of medication. Additionally, Mr. McDowell was seen by his treating physician on April 7, 2008. Mr. McDowell's medical needs are being addressed by the Health Services Department.

As an aside, MCC New York was not made aware of Mr. McDowell's complaint until the Legal Department received Your Honor's Order. We respectfully request that medical issues first be addressed internally, before counsel requests an order from the court. Based on the fact that Mr. McDowell's medication was already supply at the time of the Order, and the fact that there are internal procedures for filling medications, we respectfully request Your Honor's Order be vacated.

If you have any questions or concerns, feel free to contact me at (646)836-6466.

Sincerely,

Elisa Mason
 Staff Attorney

*Application denied.
 Since Mr. McDowell has
 received his medication,
 the court's order is vacated.
 So ordered.
 RJH
 U.S.D.Y
 6/4/08*

cc: AUSA Katherine Goldstein (by email)
 Joseph Conway, Esq. (by fax)